

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendments and the following discussion. It is believed helpful to a consideration of the claims to review certain important features of Applicant's invention.

Claims 1, 2, 10 and 17 have been rejected under 35 U.S.C. §102(b) as being anticipated by Pollock et al. Claim 1 has been amended to reflect a cover as described in the Specification on page 6, lines 21-26 and page 7, lines 1-2. The cover limits the full extension of the length of the cord when stretched. Further, claim 1 has been amended to reflect an adjustable elastic loop which is not present in Pollock. Based on the amendment to claim 1, claims 2 and 10 should be in allowable condition as being dependent from an independent claim.

Claims 1-3, 6-10, 17 and 19 have been rejected under 35 U.S.C. §102(b) as being anticipated by Giacona, III (hereinafter "Giacona"). Claim 1 has been amended to more clearly define applicants' invention. Applicants' invention consists of a single length of cord which is different from Giacona. Giacona has a double length of cord which enters the adjusting member for adjustment of the loop. Applicants' invention only requires a single length of cord to pass through the adjusting member at one end as shown in Figure 3. Utilization of a single length of cord is not merely a design choice in applicants' invention. Use of a

double length of cord could present a safety hazard to an infant as they could easily wrap a double length of cord around their neck. Further, Giacona does not describe a cover as described above. Based on the amendments to claim 1, it is now submitted that claims 1-3 and 6-10 are in condition for allowance.

Claim 17 has been amended to more clearly reflect the method of applicants' invention. The step of enclosing the length of cord with a cover has been added as distinguishable from Pollock et al. Pollock does not have any type of a cover which prevents or limits the length of cord 26 from extending to its full extent. Further, Giacona does not inherently teach restricting the length of stretch of the cord with a cover. For this reason, claim 17 should be allowable over Giacona. Based on the amendments to claim 17, it is now submitted that this claim and dependent claim 19 are in condition for allowance.

The Examiner has rejected claims 1 and 10 under 35 U.S.C. §102(b) as being anticipated by Elkins. Based on the amendment to claim 1, Elkins does not disclose a single length of cord. As set forth earlier, a single length of cord is not merely a design choice. Further, Elkins does not possess a cover. Based on the amendments to claim 1, it is now submitted that claim 10 is also in condition for allowance.

Claims 1, 2, 5-7 and 10 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Anderson. Applicants' invention is distinguishable over Anderson based on the presence

of an elastic cord. Substitution of an elastic cord in Anderson would not be practical or desirable. Typically, an animal carcass is suspended from a tree so that one can gut the animal or to prevent other animals from reaching it. An elastic cord would make it very difficult to gut the animal as it would more freely move around and would make it easier for animals to jump up and cause the cord to stretch. Claim 1 has also been amended to include a cover which limits the extent of stretch of the cord. This is clearly not present in Anderson and would not be desirable. It would be difficult to clean and would not serve any purpose in Anderson. Based on the amendments to claim 1, it is now submitted that claims 1, 2, 5-7 and 10 are in allowable condition.

Claim 4 is rejected under 35 U.S.C. §103(a) as being unpatentable over Elkins in view of Gabriel. As set forth earlier, based on the amendments to claim 1, Elkins does not disclose a single length of cord. Claim 4 should be in allowable condition as being dependent on amended claim 1.

Claim 11 is rejected under 35 U.S.C. §103(a) as being unpatentable over Pollock in view of May. May discloses a coil 42 with a handle member covered with a fabric 34. It is not designed to cover the coil 18 nor does it serve the same function as the outer fabric cover in applicants' invention. As set forth previously, the covering 18 prevents the cord 19 from stretching beyond a certain desired point. Further, there is no incentive or teaching in Pollock to combine the sleeve of May with Pollock.

Claims 12-16 and 18 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Giacona in view of May. There is no incentive or teaching in Giacona that would suggest adding the brightly colored handle of May to Giacona. Giacona is a water bottle holder and it would not be practical nor serve any purpose to add an outer fabric covering to the small length of cord in Giacona.

Further, independent claim 12 has been amended to more clearly reflect applicants' invention. Claim 12 has been amended to reflect an adjustable elongated single elastic cord which is distinguishable from Giacona. Also, claim 12 has been amended to reflect a cover extending between the first and second end of the cord. It is now believed based on the above arguments and amendments that claims 12-16 and 18 are in condition for allowance.

Claim 20 has been added to more clearly reflect applicants' invention. No new matter has been introduced.

It is therefore urged that the claims as now presented for consideration are in allowable condition and action to that end is courteously solicited. If any issues remain to be resolved, it is requested that the Examiner contact attorney for applicant at the telephone number listed below.



Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8

I hereby certify that the foregoing Amendment is being deposited with the United States Postal Service as first class mail in an envelope addressed to MAIL STOP: AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, this 4th day of August, 2004.

Mary J. Robertson